

THE COURTS.

THE ATLANTIC BANK DEFALCATION.

Alleged Post Office Embezzlement.

The Rights of Colored People to Seats in Theatres.

BUSINESS IN THE OTHER COURTS.

Decisions—A Husband's Liability—Suit to Recover Architect's Fees—The General Sessions Calendar.

A writ of error has been allowed and a citation signed by Judge Blatchford in the case of George Washington Bowen vs. Nelson Chase, known as the celebrated Jewel suit. The case now goes on appeal to the Supreme Court of the United States, and the record, which is very voluminous, will be made out in the course of two weeks.

In the case of John Whitehead, who had been convicted for sending obscene literature through the mails, counsel for the defendant moved an arrest of judgment. After hearing the arguments the Judge reserved his decision.

The Supreme Court General Term Judges yesterday appointed Messrs. A. Jackson, William F. Kenting and Edward Gilbert committee for the examination of applicants for admission to the bar, and Messrs. Edward Patterson, Thomas E. Stillman and Samuel C. Reed committee on character.

THE ATLANTIC BANK DEFALCATION.

Further Postponement of the Trial of Taintor.

Judge Benedict said yesterday in the United States Circuit Court, at No. 27 Chambers street, and proceeded with the dispatch of criminal business.

THE DEFALCATION IN THE ATLANTIC NATIONAL BANK—THE CASE OF FRANK L. TAINTOR.

When the above mentioned case was reached on the calendar

Mr. Purdy, United States Assistant District Attorney, said he was ready to go to trial on the case. Mr. Sherwood, of counsel for Taintor, observed that this surprised him very much, as the District Attorney had served him with notice to the effect that the case would not be called on till the second Monday of the term. He had not the slightest idea that the case would be called till Wednesday. He would be ready to go to trial on Monday, and he asked that the matter be put off till then.

Mr. Purdy remarked that he understood a special plea would be interposed on behalf of the defendant. If such a course were to be taken he desired to know it. If not he was ready to go to trial with the case.

Mr. Sherwood said the report about a special plea was new to him. They intended to try the case on the main issue.

After some further conversation between counsel on both sides in relation to the case, the trial was set down for Monday, the 28th inst.

THE CASE OF J. W. KENTING.

Mr. Charles Wehle, counsel on behalf of Oscar P. Watnwright, who is indicted for perjury, and is in prison, made a motion for the postponement of the trial, on the ground that the material witnesses for the defence resided in West Virginia, and that time should be allowed for their production.

After some discussion, the Assistant District Attorney consented to a postponement such as would not throw the case over the present term, and he had a witness produced, an elderly lady, who might die at any moment.

Judge Benedict said he would put the case down for Monday, and that the material witnesses for the defence were not present, he would hear a motion for further adjournment on proof of what steps had been taken to secure their attendance.

THE CASE OF STEPHEN B. KNAPP—ALLEGED EMBEZZLEMENT IN THE POST OFFICE.

The defendant, Stephen B. Knapp, had been Superintendent of the Newspaper Department in the Post Office of this city. He is indicted for having embezzled about \$30,000, the property of the government.

Counsel on behalf of Mr. Knapp moved to quash the indictment.

Mr. Purdy said he would save the learned gentleman considerable trouble by consenting to striking out the ninth, tenth, eleventh and twelfth counts.

Counsel on behalf of Knapp then went on to consider the other counts, and argued that the indictment should be quashed on the ground that the allegations therein were vague and uncertain.

The Judge granted the motion as to the first count and reserved his decision as to the fifth.

RIGHTS OF COLORED CITIZENS.

The Cases of Jarrett & Palmer and Wallace—The Management of Theatres a Privilege.

The right of the colored race to go into theatres has been some time before the courts. Two grand juries have dismissed complaints against Jarrett & Palmer and Wallace and John Hart for violating the so-called Civil Rights law of 1873. Yesterday four cases came in in the Supreme Court, Chambers, before Judge Barrett, against Wallace's Theatre.

Mr. A. Oakley Hall moved for a rule obliging the colored plaintiffs to receive unqualified answers, and claimed, under a special law of 1864, that in all actions founded upon statutes giving fines and penalties such answers were permitted. He stated that his clients were advised to take this course to save annoyance, as well as receive legal protection.

Ex-Judge Culver opposed, and claimed that this statute was repealed by the act of 1864, and that the management must admit or deny on oath whether it excluded for color or not.

Judge Barrett leaned strongly against him, but took the papers, and said in Albany and New York Manager Richardson, of the Opera House, resulted in a disagreement of the jury. But our city managers, on strong legal advice, and authority, both in England and America, as was stated on the arguments, claimed and exercised the right to view their theatres as private business places, and exclude whom they pleased on the ground of color, and without reference to either black or white, Heavens, or Jim Noyes. And they deny that the Legislature can force them to receive all persons, private business, to conduct the latter according to a penal statute. It will now be at least a year before the cases in question come to trial, if they ever do.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT—CHAMBERS.

Decision.

By Judge Barrett.

Heibelt vs. Starbuck.—Motion granted.

SUPERIOR COURT—SPECIAL TERM.

Decisions.

By Judge Van Vorst.

Swarts vs. Swarts.—Order of reference.

Sowers Savings Bank vs. O'Donnell.—Motion dismissed without costs.

Ponvert vs. Belmont and Belmont vs. Ponvert.—These actions are different and independent in the scope, aim and demand for relief. The parties are not the same. They are not between the same parties, and cannot be consolidated nor tried together as one action. Motion denied.

Patel vs. Brunt, Gevner vs. Reymart, Cunningham vs. Levi.—Orders granted.

By Judge Sedgwick.

Miner vs. Beckman et al.—The plaintiff should have judgment that he is entitled to redemption from payment of taxes, assessments, &c.

Zabietek vs. Egan et al.—See decision.

COURT OF COMMON PLEAS—SPECIAL TERM AND CHAMBERS.

Decisions.

By Judge Robinson.

In the Matter of Weiler.—Order granted.

Gibbons vs. Mallard.—Divorce granted to plaintiff. Engert vs. Schaefer.—Resale ordered at terms. See decision.

By Judge Robinson.

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